

REMARKS

A. Background

Claims 5-7 were pending in the application at the time of the Office Action. Claims 1-4 were cancelled in a previous paper. Claims 5-7 were rejected to as being indefinite. By this response applicant has amended claims 5-7. As such, claims 5-7 are presented for the Examiner's consideration in light of the following remarks.

B. Proposed Amendments

By this response, Applicant has amended various paragraphs in the specification to correct a self-evident error. Specifically, the references to "the LP₁₁ mode" have been changed to "the higher-order LP₁₁ mode." Applicant has also amended claims 5-7 to further clarify, more clearly define, and/or broaden the claimed inventions to expedite receiving a notice of allowance. Support for these amendments may be found in the specification as originally filed. In view of the foregoing, Applicant respectfully submits that the amendments to the claims do not introduce new matter and entry thereof is respectfully requested.

C. Rejection on the Merits

1. Indefiniteness Rejection

Pages 2 and 3 of the Office Action reject claims 5-7 under 35 USC § 112, Second Paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In view of amendments made herein to claims 5-7, Applicant respectfully submits that the rejection has been overcome and should be withdrawn.

Regarding claim 5, the Office Action objects to the reference to the “ITU-T recommendation G.652,” asserting that standards may be revised and/or changed over time. The Office Action suggests removing the reference to the standard in the claim. Accordingly, Applicant has herein amended claim 5 to remove the reference to the standard.

Regarding claim 6, the Office Action objects to the dependency from claim 1, as claim 1 has been cancelled in a previous paper. Applicant has amended claim 6 to now depend from claim 5.

Regarding claim 7, the Office Action objects to the phrase “core radius” when referring to an area measurement of “equal to or greater than $150\text{ }\mu\text{m}^2$...” Applicant has herein amended claim 7 to now recite “effective cross-sectional area characteristics equal to or greater than $150\text{ }\mu\text{m}^2$...”

In view of the foregoing discussion, Applicant respectfully submits that the indefiniteness rejection with respect to claims 5-7 has been overcome and should be withdrawn.

2. Allowable Subject Matter

Pages 3 and 4 of the Office Action state that claims 5 and 7 would be allowable if rewritten or amended to overcome the indefiniteness rejection discussed above. Applicant notes that in light of the amendments made herein to claims 5-7, the indefiniteness rejection has been overcome, as discussed above. Applicant thus submits that claims 5-7 are now in condition for allowance.

No other objections or rejections are set forth in the Office Action.

D. Conclusion

In view of the foregoing, applicant respectfully requests the Examiner's reconsideration and allowance of claims 5-7 as amended and presented herein.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 2nd day of January 2007.

Respectfully submitted,

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